

Practitioner's Docket No. 17396/09057CIP

COPY OF PAPER  
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Asrar, Jawed; Sanders, Ernest F. and Ding, Yiwei  
Application No.: 10/081.023 Group No.: \_\_\_\_\_  
Filed: February 21, 2002 Examiner: \_\_\_\_\_  
For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH  
DIAZOLE, TRIAZOLE, AND STROBILURIN-TYPE FUNGICIDES

Box Missing Part  
Commissioner for Patents  
Washington, D.C. 20231

COMPLETION OF FILING REQUIREMENTS  
-- NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 2, 2002.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231  
37 C.F.R. § 1.8(a) 37 C.F.R. § 1.10\*  
☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Date: May 31, 2002

Signature

Diane Filatov

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## COMPLETION FEES

### III.

- |    |                                                                                                                                      |          |
|----|--------------------------------------------------------------------------------------------------------------------------------------|----------|
| 1. | Surcharge Fees<br>Late payment of filing fee<br>and/or late filing of original<br>declaration or oath<br>(37 C.F.R. Section 1.16(e)) | \$130.00 |
| 2. | Assignment (See "ASSIGNMENT<br>COVER SHEET")                                                                                         | \$40.00  |
|    | Total Completion Fees                                                                                                                | \$170.00 |

## EXTENSION OF TIME

IV. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. Section 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

V. The total fee due is:

Completion fees	\$170.00
Extension fee (if any)	\$0.00
Total Fee Due	\$170.00

## PAYMENT OF FEES

VI. Attached is a check in the amount of \$170.00.

Charge any additional fees required by this paper or credit any overpayment to Deposit Account Number 50-1196.

Date:

May 31, 2002

Reg. No.: 35,124

Tel. No.: 864-250-2238



Signature of Practitioner

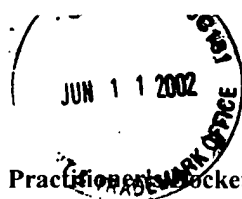
Charles E. Dunlap

Nelson Mullins Riley & Scarborough

Keenan Building, Third Floor

1330 Lady Street

Columbia, SC 29201



Practitioner's Pocket No. 17396/09057CIP

*MPA*  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Asrar, Jawed; Sanders, Ernest F.; and Ding, Yiwei

Application No.: 10/081,023

Group No.: \_\_\_\_\_

Filed: 02/21/2002

Examiner: \_\_\_\_\_

For: METHOD OF IMPROVING YIELD AND VIGOR OF PLANTS BY TREATMENT WITH DIAZOLE, TRIAZOLE, AND STROBILURIN-TYPE FUNGICIDES

**Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. section 1.8(a)**

I hereby certify that the attached correspondence comprising:

1. Fee Transmittal (1 page).
2. PTO Return Form entitled Notice to File Missing Parts of Nonprovisional Application Form (1 page).
3. Completion of Filing Requirements - Nonprovisional Application (2 pages).
4. Combined Declaration and Power of Attorney (3 pages).
5. Assignment Cover Sheet (6 pages).
6. Check for \$170.00
7. Return postcard.

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on May 31, 2002.

Diane Filatov

\_\_\_\_\_  
Signature of person mailing paper

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number 107081,023  
Filing Date 02/21/2002  
First Named Inventor Jawed Asrar et al.  
Examiner Name Unknown  
Group Art Unit  
Attorney Docket No. 17396/09057CIP

TOTAL AMOUNT OF PAYMENT (\$) 170.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 50-1196  
Deposit Account Name Nelson Mullins Riley...

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	40.00
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 170.00

## SUBMITTED BY

Name (Print/Type) Charles E. Dunlap

Registration No. 35,124  
(Attorney/Agent)

## Complete (if applicable)

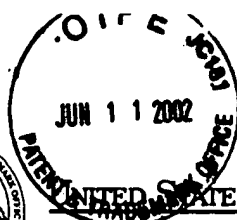
Telephone 864-250-2238

Signature

Date 05/31/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/081,023	02/21/2002	Jawed Asrar	17396/09057

CONFIRMATION NO. 2905

## FORMALITIES LETTER



\*OC000000007769362\*

Charles E. Dunlap  
Keenan Building, Third Floor  
1330 Lady Street  
Columbia, SC 29201

Date Mailed: 04/02/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/17/2002 MBIZJMES 00000044 10081023

01 FC:105

130.00 OP

RECEIVED

APR 09 2002

NELSON MULLINS  
COLUMBIA OFFICE